

ODELL RAPS THE JUDGES.

SHOULD BE MADE TO WORK MORE,
HE TELLS THE LEGISLATURE.

To Meet Objections to His First Proposal
of Calling in County Judges to Help
Clear Supreme Court Calendars in
This City, He Adopts a Newspaper Suggestion
That the Judges Are Lazy and
Should Be Required to Work Longer.

ALBANY, Jan. 21.—Gov. Odell sent a special message to the Legislature to-day further outlining his plans for legislation which will result in a more speedy disposition of the large Supreme Court calendar in New York city. The message suggests that the jury trial judges in New York city increase their working hours. It is as follows:

EXECUTIVE CHAMBER,
ALBANY, N. Y., Jan. 21, 1902.

To the Legislature:
In my last message I made a suggestion for your consideration in relation to the exceedingly important matter of the speedy disposition of the large trial calendar in the city of New York. The calendar operates as a denial of justice in many cases. It was as follows:

Your attention is also called to the over-crowded condition of the calendars in the City and County judicial departments, and action by the Legislature to remedy the same should be taken. Perhaps the most effective remedy would be to require the judges of the County and City departments, until such calendars shall have been cleared.

My reasons for suggesting a temporary working force of County Judges to be called in to assist in the clearing of the calendar are as follows: It is likely that the volume of litigation is to increase in the near future. That, aside from actions for personal injuries, that are said to number more than one hundred a day in the County courts, the trial work in most of the counties of the State has diminished. Indeed, it is said that actions of that character are solely responsible for the crowded condition of the calendars in the great city.

Recently the calendar has been wisely manifested a disposition to agree upon the compensation to be granted to those judges who would be called in to assist in the clearing of the calendar. Already some important railroad interests have been called in to assist in the clearing of the calendar. It is said by some who have tried the experiment that a policy of calling in judges to assist in the clearing of the calendar before a jury in the discredited frequent contests with fraudulent claimants, and the practice has been found to be a very effective one. It is said that the results promised by experienced men to adopt this policy.

It did not occur to me that any County Judges were qualified for to any one else that work in the County and City departments. It is said that some County Judges in this State prepared both by education and experience to do the work of the County and City departments. It is said that some County Judges prepared by education and training in the County and City departments. It is said that some County Judges prepared by education and training in the County and City departments.

In case of vacancy in the Court of Appeals, the Governor is authorized to appoint a judge to fill the vacancy. It is said that some County Judges in this State prepared both by education and experience to do the work of the County and City departments. It is said that some County Judges prepared by education and training in the County and City departments.

The people of New York have long ago amended the Constitution as to authorize the Governor to create a second division of the Court of Appeals. It is said that some County Judges in this State prepared both by education and experience to do the work of the County and City departments. It is said that some County Judges prepared by education and training in the County and City departments.

Gov. Odell to Attend Unveiling
ALBANY, Jan. 21.—Gov. Odell to-day received a call from Dr. P. H. Murphy, James Owens and Gen. George B. Loud, representing the Memorial Committee, of New York city, having in charge the erection of the Soldiers' and Sailors' Monument on Riverside Drive. The committee invited the Governor to be present on May 30 on the occasion of the unveiling of the monument, and the Governor promised to attend.

A lack of better method has been suggested by the press, viz. that the remedy is in the hands of the jury trial judges of New York city. It is said that some County Judges in this State prepared both by education and experience to do the work of the County and City departments. It is said that some County Judges prepared by education and training in the County and City departments.

Attention is called to the fact that the jury trial judges of New York city are paid a salary of five days in a week, which certainly suggests that it would be to the advantage of the State to increase their court hours 25 per cent. It is said that some County Judges in this State prepared both by education and experience to do the work of the County and City departments. It is said that some County Judges prepared by education and training in the County and City departments.

In any action at law hereafter brought in the Supreme Court to which the plaintiff is entitled to a trial by jury, the plaintiff shall be allowed to call in to assist in the clearing of the calendar a number of County Judges to be called in to assist in the clearing of the calendar. It is said that some County Judges in this State prepared both by education and experience to do the work of the County and City departments. It is said that some County Judges prepared by education and training in the County and City departments.

JUDGES NOT LAZY, THEY THINK.
Express a Valuable Service That the Governor Should Be Made to Work More.

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BAR SAYS NO TO GOV. ODELL.

NO COUNTY JUDGES IN SUPREME COURT TERMS.

M. Jules Cambon, French Ambassador,
Guest of the State Association—Hornblower Would Repeal Constitutional Amendment of 1894—Officers.

ALBANY, Jan. 21.—At the twenty-fifth annual meeting of the New York State Bar Association, held here to-day, Former Deputy Attorney-General E. G. Whitaker, a former President of the association, offered a resolution which was adopted unanimously, disapproving of the proposed Constitutional amendment recommended by Gov. Odell to permit the Governor to appoint county judges to hold Supreme Court terms.

President William B. Hornblower of New York city made the annual address, on "The State Constitution of 1894 as affecting Appellate tribunals." He said that he did not believe that it was at all within the contemplation of the framers of the judicial article in the convention of 1894 that the language which they used should have the effect of depriving the Court of Appeals of jurisdiction to consider and decide important questions of law and equity in cases where the facts are practically undisputed while still retaining jurisdiction to consider and reverse upon questions of admission or exclusion of evidence.

Justice Truax appeared to regard the message as too far from the mark to require serious attention. Justice Scott displayed a similar mental attitude. Answering a question as to how many hours he worked, he said:

"Well, I sit on the bench at trial term from 10:30 until 1 o'clock and from 2 until 4 in the afternoon. Since the first of October I have averaged four or five nights a week at work up to half past 1 o'clock at my chambers. I have been asked to do this by the State who have been assigned to this department might perhaps tell you how the work done by judges has been compressed in hours with great in the upper departments."

Justice P. Henry Dugro could find nothing in fact upon which the Governor's amendments could be based. When he read that part of the message in which the Governor said of the Manhattan Judges that it would not be a very severe strain upon them, either mentally or physically, to increase their court hours 25 per cent. "until the calendar shall have been greatly reduced," Justice Dugro said:

"Why, until the calendar shall have been greatly reduced, it would be to require the judges to increase their hours 25 per cent. If the judges are averaging less than one hour a day in the County courts, the trial work in most of the counties of the State has diminished. Indeed, it is said that actions of that character are solely responsible for the crowded condition of the calendars in the great city."

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THE PIANOLA

To play the piano with the aid of
THE PIANOLA

no practice is necessary. The
expression is absolutely controlled by the player.

Visitors welcome.
The price of the Pianola is but \$450,
yet it gives you the full value of your piano.

The Pianola is on exhibition as well as for sale by
AEOLIAN CO., 18 W. 23d St.

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ROOSEVELT HAS SCHLEY CASE

BUT DECLINES TO MAKE THE
APPEAL PUBLIC.

The Main Contention Is That the Court
of Inquiry Failed to Be Influenced
by the Evidence in Schley's Behalf
on Certain Points in the Precept.

WASHINGTON, Jan. 21.—Rear Admiral Schley's appeal from the verdict of the court of inquiry, which condemned his conduct in the West Indian naval campaign, was delivered to President Roosevelt to-day. Copies of an abstract for the newspapers were handed to the President at the same time, but Mr. Roosevelt declined to make the abstract public or to permit any information to be furnished concerning the appeal.

The reason for this action of the President is well understood. He regards it as improper to have a paper dealing with a purely legal aspect of the Schley case placed before the country and the points made argued in the newspapers in advance of his consideration and action on the appeal.

The President's determination in this regard is said to have been influenced by the suspicion that a renewal of newspaper agitation, pending his decision of the case, was counted on by Admiral Schley's advocates.

From what was said to-day and previously it is believed that the President will adhere to his decision to refer the appeal to Attorney-General Knox for review and a report. How soon the action of the President may be expected must be a matter of mere conjecture, but that there will be no immediate disposition is evident from the fact that the appeal covers more than a hundred typewritten pages, containing about 35,000 words.

The appeal proper is embraced in about 2,000 words, and the rest of the voluminous document consists of three exhibits, one of which contains liberal extracts from the testimony. According to Admiral Schley and his attorneys the testimony quoted did not have due consideration by Admiral Dewey and Rear Admirals Benham and Ramsay in the preparation of the conclusions as to Admiral Schley's conduct.

No great stress is laid on the point made in the bill of exceptions which the Secretary of the Navy overruled, that the court ignored evidence favorable to Schley. The main contention is that the court failed to be influenced by the weight of evidence in Schley's behalf on certain specifications of the precept. Otherwise the appeal is an amplification of the contentions set forth in the original bill of exceptions.

Admiral and Mrs. Schley arrived in Washington this morning from Savannah where they spent the past ten days, as guests of Gen. W. W. Gordon. Soon after reaching the Ritz-Carlton Hotel, his Washington residence, Admiral Schley was joined by his colonel, Rear Admiral and Mr. A. Teague, who came over from Baltimore, bringing with them the appeal and the bill of exceptions. Several hours were spent by Admiral Schley and Messrs. Teague and Ramsay in discussing the appeal and the bill of exceptions. Mr. Teague took it to the White House.

To newspaper men who applied to him for the contents of the abstract, Admiral Schley said that the transmission of the appeal was an official matter and, in accordance with regulations, it was for the President alone to say whether the bill of exceptions should be removed as to the contents of the appeal. The same thing was said at the Schley headquarters when it was learned that the President declined to make public the communication from Admiral Schley.

Mr. Teague went to the Navy Department to-day to ascertain whether it was necessary to follow the practice of legal courtesy in furnishing to opposing counsel a copy of an appeal. In this case the opposing counsel is Capt. C. Lemly, the United States Advocate General. Whatever was learned by Mr. Teague, a copy of the appeal was not furnished to the Navy Department.

It is understood that no officer of that Department will be consulted with reference to the statements made in the appeal which is regarded as a matter dealing with law and fact that can be determined by the President and the Attorney-General.

JEROME AND EXCISE BILLS.
He Wrote to Senator Wagner He Had Not
Quite Determined on His Plans.

ALBANY, Jan. 21.—Senator Wagner (Dem., Brooklyn) wrote to District Attorney Jerome on Jan. 13 that he was in accord with the District Attorney's views on Sunday opening and that he would be pleased to introduce any bills that Senator Wagner might propose on the question. Senator Wagner received a letter from Mr. Jerome, under date of Jan. 20, in which he says:

"I beg to acknowledge receipt of yours of Jan. 13, the answer to which I have not quite determined upon my plans in regard to a bill on the matter of the excise question. I hope within a day or two to reach a definite conclusion on this subject, and will then take the opportunity to communicate with you. Be assured that I am much gratified at the interest expressed in the matter in your letter, and your kind offer to introduce and press the measure in the Senate."

McKINLEY'S BIRTHDAY.
Schools Urged to See That It Is
Properly Observed.

ALBANY, Jan. 21.—State Superintendent of Public Instruction Charles R. Skinner to-day sent a circular letter to local school authorities throughout the State, urging them to provide for the proper observance of President McKinley's birthday, Jan. 29, in accordance with the recent proclamation of the Governor.

The day cannot be considered a holiday, and should not be made the special occasion for soliciting funds from school children for the erection of a monument. The great State can be depended upon to do its share toward this movement.

ANGUS BROWN KILLED.
Division Superintendent on the New York
Central Struck by a Train.

ALBANY, Jan. 21.—Angus Brown, 45 years old, division superintendent of motive power on the New York Central Railroad, was struck by a train at West Albany, shortly before noon to-day and instantly killed.

A. M. A. Acting to Marquette.
ALBANY, Jan. 21.—The Council of Administration of the State G. A. R. Department voted to-day to hold the next annual convention at Saratoga Springs, probably on June 20 and 21.

Understanded Metals to Be Struck.
WASHINGTON, Jan. 21.—The Senate passed a bill to-day to provide bronze medals for the survivors of the officers and crews of the United States vessels of war captured by the Confederate States during the late war.

Public Building Bill Passed.
WASHINGTON, Jan. 21.—The Senate to-day passed this bill for public buildings. It provides for the construction of a new building for the Department of the Interior, and for the improvement of the existing buildings of the Department.

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REV. DR. PARKHURST

Praises Johann Hoff's Extract.

Rev. Dr. Parkhurst, the noted
New York Divine, writes: "I am
making faithful use of Johann
Hoff's Extract much to my satisfaction
and bodily improvement."

C. H. PARKHURST.

Johann Hoff's Extract has been used from one end of the world to the other ever since 1847. It has a record that no other remedy can equal.

Johann Hoff's Extract is for people who need strength, those who are run-down and overworked. It is not a stimulant—it has no reaction, it is a true tonic, a nutrient, a food—you retain what you gain by its use. It makes healthy blood and flesh. It is of special value to women; it builds up the entire system and helping nature to throw off dangerous catarrhal secretions. It searches out the weak parts and strengthens them.

Dr. J. V. Littell, of Lafayette, Ind., writes: "I have prescribed Johann Hoff's Extract and find it in all the requirements of a true nutritive tonic and tissue builder."

Sufferers from nervousness find a real help in Johann Hoff's Extract. It makes strong, steady nerves by strengthening the entire system.

Dr. Walter W. Naylor, 755 S. 10th St., Philadelphia, writes: "I have been treating a nervous woman who has been in the hands of several prominent men, and after I had almost given her up, put her on Johann Hoff's Extract and cured her. She has gained ten pounds in six months."

WALTER W. NAYLOR, M. D.

Johann Hoff's Extract always succeeds. Fully builds up the weak and debilitated.

ARGUING PHILIPPINE TARIFF
Mr. Lodge and Mr. Rawlins in Support
of the Respective Reports.

WASHINGTON, Jan. 21.—The Senate this afternoon took up for consideration the bill to provide revenue for the Philippine Islands, and Mr. Lodge (Rep., Mass.), chairman of the Philippine Committee, addressed the Senate. As to the general question of a tariff on articles imported into the Philippine Islands, Mr. Lodge said, there arose differences of opinion. In the first place, if the United States should discriminate in its own favor on articles entering the islands from the United States, the principal sources of revenue in the islands would be diminished. In second place, the same discrimination would have to be given to Spain under the fourth article of the Treaty of Paris, and that would lead to very great and serious complications.

Mr. Lodge then turned to the question of a tariff on articles imported into the Philippine Islands from other countries. He said, there arose differences of opinion. In the first place, if the United States should discriminate in its own favor on articles entering the islands from the United States, the principal sources of revenue in the islands would be diminished. In second place, the same discrimination would have to be given to Spain under the fourth article of the Treaty of Paris, and that would lead to very great and serious complications.

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